

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 30, 38, 41 and 41 are requested to be cancelled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 23 – 29, 31-37, and 39-40 (16 claims) are now pending in this application.

On pages 2 through 7 of the Office Action, the Examiner has rejected claims 23-29, 31-37, 39 and 40 under 35 U.S.C. § 102(e) as being anticipated by Butler II (USPN: 5,625,681). In the Office Action, the Examiner utilizes the language of the claims in the present application when referring to Butler. The Examiner restates the comments and rejections from the previous Office Action.

Butler discloses a method and apparatus for telephone number portability (emphasis added). Butler teaches the portability of common format telephone numbers (column 3, lines 41-42) and teaches a mechanism by which the subscriber numbers are translated to provider numbers and provider numbers are translated to subscriber numbers (column 4, lines 29-33). Butler teaches number portability and the mechanism of translation of subscriber numbers to provider numbers and provider numbers to subscriber numbers as described above. In the Butler disclosure, the subscriber numbers are independent of the network structure but the provider numbers are dependent on the network structure.

Applicant submits that the present application teaches switching of a subscriber station from a first telecommunication network to a second telecommunication network while retaining accessibility in the course of this “changeover” from the first telecommunication network to the second telecommunication network. The prevalent subscriber station is accessible virtually all of the time, without interruption, and can always set up connections itself. Further, it is also possible for the subscriber station to set up connections to other subscriber stations in both telecommunication networks. (See specification page 11, lines 3-23.)

In contrast to what is taught by Butler, the present application, as described above and as disclosed and claimed in the present application, provides for a switching between the first telecommunication network and the second telecommunication network, and vice versa, despite a geographical change of the subscriber.

Further, Applicant amended independent claims 23 and 32 in response to the last Office Action. The Examiner, in the present Office Action (p. 13), admits “Although the claims as amended **are patentably distinct from the prior art, . . .**”. (emphasis added) Therefore, independent claims as amended and the dependent claims which depend either directly or indirectly from the independent claims are allowable.

On pages 7-11, the Examiner has rejected claims 30, 38, 41 and 42 under 35 U.S.C. § 103(a) as being unpatentable over Butler II in view of McGary, et al (USPN: 5,774,316). McGary discloses a ground fault detector for line powered telephone network.

Applicant reiterates his comments with respect to Butler herein as if fully set forth. Applicant submits that one ordinarily skilled in the art would not look to combine Butler with McGary for at least the reason that Butler is concerned with portability of telephone numbers and there is no teaching or suggestion or motivation to combine the teaching of Butler with McGary to obtain that which is disclosed and claimed in the present application. However, Applicant has cancelled claims 30, 38, 41 and 42. Therefore, the Examiner’s comments are moot as to those claims.

Applicant has attempted to comment to the extent necessary to distinguish the claims over the prior art and to amend the claims to the extent necessary to distinguish the claims over the prior art but with the intent of not limiting the scope of the invention protection afforded by the patent laws or these claims, any further than absolutely necessary. It is respectfully submitted that each outstanding rejection has now been overcome and that each claim is in condition for allowance. Reconsideration and allowance is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

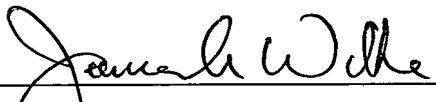
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 06-01-05

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